

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

HUGH MUELLER,

Plaintiff,

v.

GS5, LLC,

Defendant.

Civil Action No. 1:12cv0693 (GBL/JFA)

**ORDER**

This matter is before the court on plaintiff's Motion for Leave to Reply to Defendant's Answer and to Strike Defendant's Affirmative Defenses ("Motion for Leave to File") (Docket no. 11). Plaintiff's motion seeks (1) leave to file a reply to defendant's answer (Docket no. 7) and (2) leave to file a motion to strike defendant's affirmative defenses under Fed. R. Civ. P. 12(f).


While Fed. R. Civ. P. 7(a)(7) provides that a reply to an answer is allowed "if the court orders one," having reviewed defendant's answer and affirmative defenses, and with the recognition that the allegations in the answer and affirmative defenses are denied under Fed. R. Civ. P. 8(b)(6), there are no extraordinary circumstances that require a reply in this case.

Accordingly, and upon consideration of the Motion for Leave to File, plaintiff's proposed reply and motion to strike (Docket no. 11-1), defendant's response and memorandum in support (Docket nos. 14, 15), and defendant's lack of opposition to plaintiff's motion to the extent it seeks leave to file a motion to strike, it is hereby

ORDERED that the Motion for Leave to File is denied to the extent that it seeks leave to file a reply to defendant's answer. It is further

ORDERED that the Motion for Leave to File is granted to the extent that plaintiff believes there is a good faith basis for the filing of a motion to strike.

Entered this 28th day of August, 2012.

\_\_\_\_\_/s/   
John F. Anderson  
~~United States Magistrate Judge~~  
John F. Anderson  
United States Magistrate Judge

Alexandria, Virginia